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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,)	No. 12-CR-00010-EMC
)	
Plaintiff,)	[PROPOSED] ORDER EXCLUDING
)	TIME UNDER THE SPEEDY TRIAL ACT
v.)	
)	
ARMANDO ANTONIO MONROY)	
and JORGE PERAZA-RIVAS,)	
)	
Defendants.)	

The above-captioned matter came before the Court on January 16, 2013, for a status conference. The Court set a deadline of February 6, 2013 for defense motions, set deadlines for government response and defense reply briefs to such motions, and set a motion hearing and further status conference on March 13, 2013. The parties agreed that they would meet and confer and submit a stipulation to the Court to advance the March 13, 2013 hearing if no defense motions are filed by February 6, 2013.

Based upon the discovery produced by the government to the defendants and the motion(s) to be considered by the defense and submitted to the Court, the parties agreed and requested that an exclusion of time be granted from and including January 16, 2013, through and including March 13, 2013. The parties agreed that the additional time is appropriate and

1 necessary under Title 18, United States Code, § 3161(h)(7)(A) and (h)(1)(D), because the needs
2 of justice served by the continuance outweigh the best interest of the public and the defendants in
3 a speedy trial. This time exclusion will allow counsel for the defendants and the government
4 effectively to prepare, taking into account the exercise of due diligence. Moreover, the parties
5 anticipate that defense pretrial motion(s) will be pending from February 6, 2013 through at least
6 March 13, 2013, and if motions are not filed by the defense, a status hearing in this matter will
7 be advanced.

8 As found during the January 16, 2013 status conference, the Court finds that the time
9 from and including January 16, 2013 (which was the date through which a prior time exclusion
10 ran), through and including March 13, 2013, should be excluded under the Speedy Trial Act, 18
11 U.S.C. § 3161(h)(7)(A) and (h)(1)(D), because the ends of justice served by such exclusion
12 outweigh the best interest of the public and defendants in a speedy trial. This finding is based
13 upon the need for the defendants and the government to have reasonable time necessary for
14 effective preparation pursuant to 18 U.S.C. § 3161(h)(7)(B)(iv), as well as based upon the
15 anticipated filing of defense pretrial motions pursuant to 18 U.S.C. § 3161(h)(1)(D).

16
17 IT IS SO ORDERED.

18
19 DATED: January ²³ __, 2013
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